is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference, that said preparation constitutes a competent or effective treatment for delayed, unnatural or suppresed menstruation; that said preparation is safe or harmless; or which advertisement fails to reveal that the use of said preparation may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of the pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning;

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as commerce is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any of the representations prohibited in Paragraph 1 hereof, or which fails to reveal that the use of said preparation may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of the pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning.

It is further ordered, That the respondent shall, within ten (10) days after service upon him of this order, file with the Commission an interim report in writing, stating whether he intends to comply with this order and, if so, the manner and form in which he intends to comply; and that within sixty (60) days after service upon him of this order, said respondent shall file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 41-1523; Filed, February 28, 1941; 11:41 a. m.]

[Docket No. 3891]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF YORK CONE COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with candy or any other merchandise together with push or pull cards, punchboards or other lottery devices, which said push or pull cards, punchboards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45 b) [Cease and desist order, York Cone Company, Docket 3891, February 11, 1941]

§ 3.99 (b) *Using or selling lottery devices — In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with push or pull cards, punchboards or other lottery devices either with assortments of candy or other merchandise or separately, which said push or pull cards, punchboards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, York Cone Company, Docket 3891, February 11, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of February, A. D. 1941.

This proceeding having been heard [1] by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before Miles J. Furnas and Randolph Preston, examiners of the Commission theretofore duly designated by it, in support of the allegations of said complaint, no evidence being offered by the respondent, briefs filed herein, oral argument having been waived, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, York Cone Company, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to or placing in the hands of others push or pull cards, merchandise together with push or pull cards, punchboards or other lottery devices, which said push or pull cards, punchboards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(2) Supplying to or placing in the hands of others push or pull cards, punchboards or other lottery devices either with assortments of candy or other merchandise or separately, which said push or pull cards, punchboards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[1] 5 F.R. 1296.

[F. R. Doc. 41-1522; Filed, February 28, 1941; 11:41 a. m.]

[Docket No. 4400]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF EMPIRE STATE CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, candy or any merchandise so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Empire State Candy Company, Docket 4400, February 10, 1941]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with push or pull cards, punch boards or other lottery device, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Empire State Candy Company, Docket 4400 February 10, 1941]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, any mechandise by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Empire State Candy Company, Docket 4400, February 10, 1941]

In the Matter of B. M. Bennett, Individually and Trading Under the Name of Empire State Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of February, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent B. M. Bennett, individually and trading as Empire State Candy Company, or trading under any other name or names, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 41-1524; Filed, February 28, 1941; 11:41 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

AMENDMENT TO RULE PROVIDING EXEMPTIONS FROM SECTION 17 (C) OF THE ACT FOR OFFICERS AND DIRECTORS OF OPERATING COMPANIES

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly sections 17 (c) and 20 (a) thereof (Sec 17, 49 Stat. 830; 15 U.S.C. 79g; sec. 20, 49 Stat. 833; 15 U.S.C. 79t), and finding that such action will not adversely affect the public interest or the interest of investors or consumers, the Securities and Exchange Commission hereby amends paragraph (h) of § 250.17c–1 (Rule U-17C–1) to read as follows:

(h) A person (1) whose *only* financial connection is with one or more commercial banking institutions having their principal offices within the State in which such company conducts at least 90 percent of its public-utility operations and in which such person resides, and (2) who was originally elected to his position in such company prior to April 1, 1939, pursuant to an order of, or stipulation approved by, the public service commission, corporation commission, or similar regulatory body of such State: *Provided, however*, That this exemption shall expire December 31, 1941.

Effective March 1, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 41-1472; Filed, February 27, 1941; 4:18 p. m.]

TITLE 20—EMPLOYEES' BENEFITS

CHAPTER II—RAILROAD RETIREMENT BOARD

PART 202—EMPLOYERS UNDER THE ACT

REGULATIONS UNDER THE RAILROAD RETIREMENT ACT OF 1937

Pursuant to the general authority contained in section 10 of the Act of June 24, 1937 (sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j) §§ 202.11 and 202.12 of the Regulations of the Railroad Retirement Board under such Act (4 F.R. 1477) are amended, effective February 25, 1941, by Board Order 41-85 dated February 25, 1941, to read as follows:

§ 202.11 *Termination of employer status.* The employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status.

§ 202.12 *Evidence of termination of employer status.* In determining whether a cessation of an essential characteristic, such as control or service in connection with railroad transportation, has occurred, consideration will be given only to those events or actions which evidence a final or complete cessation. Mere temporary periods of inactivity or failure to exercise functions or to operate equipment or facilities will not necessarily result in a loss of employer status.

The actual date of cessation of employer status shall be the date upon which final or complete cessation of an essential employer characteristic occurs. The following indicate but do not delimit the type of evidence that will be considered in determining the actual date of cessation of an employer status: stoppage of business or operations; the cancellation of tariffs, concurrences or powers of attorney filed with the Interstate Commerce Commission; the effective date of a certificate permitting abandonment; the effective date of a pertinent judicial action such as the discharge of a receiver, trustee, or other judicial officer, or an order approving sale of equipment or machinery; the sale, transfer, or lease of property, equipment, or machinery essential to the continuance of an employer function or to control by a carrier employer; public or private notices of contemplated or scheduled abandonment or cessation of operations; termination of contract; discharge of last employee; date upon which the right of a railway labor organization to participate in the selection of labor members of the National Railroad Adjustment Board ceases or is denied; and date on which an employer, if a labor organization, ceases to represent or is denied the right to represent crafts or classes of employees in the railroad industry, or to promote the interests of employees in the railroad industry.

In the absence of evidence to the contrary the employer status of an existing company or person shall be presumed to continue, and in accordance with § 250.01 (b) of these regulations it is the duty of each employer promptly to notify the Board of any change in operations affecting such company's status as an employer.

By Authority of the Board.

[SEAL] JOHN C. DAVIDSON, *Secretary of the Board.*

Dated: February 27, 1941.

[F. R. Doc. 41-1495; Filed, February 28, 1941; 10:51 a. m.]

TITLE 29—LABOR

SUBTITLE A—OFFICE OF THE SECRETARY OF LABOR

PART 2—REGULATIONS APPLICABLE TO CONTRACTORS AND SUBCONTRACTORS ON PUBLIC BUILDING AND PUBLIC WORK AND ON BUILDING AND WORK FINANCED IN WHOLE OR IN PART BY LOANS OR GRANTS FROM THE UNITED STATES

§ 2.1 *Weekly affidavit with respect to wages.* (a) Each contractor or subcontractor engaged in the construction, prosecution, completion, or repair of any public building or work, or building or work financed in whole or in part by loans or grants from the United States shall furnish each week an affidavit with respect to the wages paid during the preceding week.

(b) Said affidavit shall be executed and sworn to by the contractor or subcontractor or by the authorized officer or employee of the contractor or subcontractor who supervises the payment

of wages, and shall be in the following form:

STATE OF _____
County of _____ *ss.*

I _____ (name of party signing affidavit) _____ (title), being duly sworn, do depose and say: That I pay or supervise the payment of the persons employed by _____ (contractor or subcontractor) on the _____ (building or work); that the attached payroll sets out accurately and completely the name, occupation, and hourly wage rate of each person so employed for the weekly payroll period from the _____ day of _____, 194__, to the _____ day of _____, 194__, the total number of hours worked by him during such period, the full weekly wages earned by him and any deductions made from such weekly wages, and the actual weekly wages paid to him; that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ (contractor or subcontractor) from the full weekly wages earned as set out on the attached payroll; and that no deductions, other than the permissible deductions (as defined in the Regulations under the "Kickback" Act (48 Stat. 948)) described in the following paragraph of this affidavit, have been made or will be made, either directly or indirectly, from the full weekly wages earned as set out on the attached payroll.

(Paragraph describing deductions, if any)

_____
(Signature and Title)

Sworn to before me this _____ day of _____, 194__.

(c) Each weekly affidavit with attached payroll shall be delivered within seven (7) days after the regular payment date of the payroll to the Government representative in charge at the site of the building or work, or, if there is no such Government representative, shall be mailed within such time to the Federal agency contracting for or financing the building or work. After such examination and check as may be made, such affidavit and payroll, or a copy thereof, together with a report of any violation, shall be transmitted by such Federal agency to the United States Department of Labor at Washington, D. C., unless otherwise arranged with the Department.

(d) At the request of the Federal agency contracting for or financing the building or work, the contractor or subcontractor shall furnish and deliver, together with the original, a copy of the affidavit and payroll required by this section.*

*§§ 2.1 to 2.4, inclusive, issued under the authority contained in section 2, 48 Stat. 948 and section 9 of Reorganization Plan No. IV, effective June 30, 1940 in accordance with section 4 of H. J. Res. 551 (Public Res. No. 75), approved June 4, 1940.

§ 2.2 *Definitions.* As used in the foregoing section (a) The words "construction, prosecution, completion, or repair" comprehend all types of work done on the particular building or work at the site thereof including, without limitation, altering, remodeling, painting and decorating, and fabricating, assembling and installing articles, apparatus and equipment used on or installed in the building or work. They comprehend also the transporting of materials and supplies to or from the building or work, and the manufacturing or furnishing of materials, articles, supplies or equipment on the site of the building or work, by persons employed at the site by the contractor or subcontractor engaged in work at the site.

(b) The words "building or work" include, without limitation (in addition to buildings) structures and improvements of all types, such as bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, railways, ships, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and dredging, shoring, scaffolding, drilling, blasting, excavating, clearing and landscaping work. Unless conducted in connection with and at the site of such a building or work as is described in the foregoing sentence, the manufacture or furnishing of materials, articles, supplies or equipment (whether or not the United States acquires title to such materials, articles, supplies or equipment during the course of the manufacturing or furnishing or owns the materials from which they are manufactured or furnished) is not a "building or work" within the meaning of these regulations.

(c) The term "permissible deductions" includes (1) deductions required by statute, such as the Social Security Act, or by court order; and (2) deductions from wages of persons permanently employed by shipbuilding companies and by concerns such as public utilities not normally engaged in performing construction contracts, for death, disability, sickness, hospitalization, retirement, or unemployment insurance: *Provided*, That the total amount of such deductions is paid for premiums to insurance companies or mutual benefit associations neither directly nor indirectly under the control of the contractor or subcontractor and that no portion of such premiums, whether in the form of a commission or otherwise, is returned to the contractor or subcontractor, and *Provided further*, That such deductions have been voluntarily agreed to by such employees in writing and in advance. No other deductions are permissible within the meaning of these regulations, including, without limitation, deductions for board, lodging, commissary purchases, hospitalization benefits, hospital bills, voluntary wage assignments, group insurance, rentals, loans, or loss of tools. Bona fide cash wage advances are permissible.

(d) The term "Federal agency" includes all executive departments, independent establishments, agencies and instrumentalities of the United States, corporations all of the stock of which is beneficially owned by the United States, and the District of Columbia.*

§ 2.3 *Notice to contractors.* Contracts entered into after the effective date of these regulations shall contain provisions appropriate to bind the contractors to comply with the requirements of the regulations if applicable.*

§ 2.4 *Effective date; existing regulations superseded.* These regulations shall be effective sixty (60) days after publication thereof in the FEDERAL REGISTER and shall supersede from that date the regulations and amended regulations issued jointly by the Secretary of the Treasury and the Secretary of the Interior on January 8, 1935 and March 27, 1937, respectively (24 CFR 604; 41 CFR 21); *Provided*, That the parties to contracts or subcontracts entered into prior to the effective date may, if they so agree, comply with these regulations instead of with the superseded regulations at any time after publication of these regulations in the FEDERAL REGISTER.*

FRANCES PERKINS,
Secretary.

[F. R. Doc. 41-1527; Filed, February 28, 1941; 11:58 a. m.]

CHAPTER V—WAGE AND HOUR DIVISION

PART 592—MINIMUM WAGE RATES IN THE CARPET AND RUG INDUSTRY

WAGE ORDER IN THE MATTER OF THE RECOMMENDATIONS OF INDUSTRY COMMITTEE NO. 12 FOR MINIMUM WAGE RATES IN THE CARPET AND RUG INDUSTRY

Effective March 17, 1941

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on May 13, 1940, by Administrative Order No. 50, appointed Industry Committee No. 12 for the Carpet and Rug Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 12, on July 10, 1940, recommended minimum wage rates for the Carpet and Rug Industry and duly adopted a report containing said recommendation and reasons therefor and filed such report with the Administrator on August 7, 1940, pursuant to section 8 (d) of the Act and § 511.19 of the Regulations issued under the Act; and

Whereas after due notice published in the FEDERAL REGISTER, Henry T. Hunt, Esquire, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendations at Washington, D. C., on October 2, 1940, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

Whereas all persons appearing at said public hearing before the Presiding Officer were given leave to file briefs before October 31, 1940; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to

the provisions of the Act with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendations for the Carpet and Rug Industry as defined in Administrative Order No. 50 are made in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee will carry out the purposes of section 8 of this Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Administrator's Finding and Opinion in the Matter of the Recommendations of Industry Committee No. 12 for Minimum Wage Rates in the Carpet and Rug Industry" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, Washington, D. C.;

Now, therefore, it is ordered, That:

§ 592.1 *Approval of recommendation of Industry Committee.* The Committee's recommendations are hereby approved.*

*§§ 592.1 to 592.6, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.

§ 592.2 *Wage rates.* Wages at the rates provided in this section shall be paid under section 6 of the Act of every employer to each of his employees in the Carpet and Rug Industry who is engaged in commerce or in the production of goods for commerce.

(a) *Wool Division.* Every employer shall pay not less than 40 cents per hour to each of his employees who is engaged in (1) the spinning, dyeing, finishing or processing of carpet yarns which contain any carpet wool; or, (2) the manufacturing, dyeing, finishing or processing of rugs or carpets under the definition of the Carpet and Rug Industry containing any wool of any kind.

(b) *Other than the Wool Division.* Every employer shall pay not less than 35 cents per hour to each of his employees who is engaged in the manufacturing, dyeing, finishing or processing of all rugs or carpets under the definition of the Carpet and Rug Industry other than those included within the Wool Division of the Industry, and*

§ 592.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Carpet and Rug Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor, and*

§ 592.4 *Definition of the carpet and rug industry and divisions thereof.* The Carpet and Rug Industry and divisions thereof to which this order shall apply are hereby defined as follows:

(a) As used in this order the term "Carpet and Rug Industry" means:

(1) The spinning, dyeing, finishing or processing of carpet yarns which contain any carpet wool.

(2) The manufacturing, dyeing, finishing or processing of rugs or carpets from any yarns or fibres or from grass or paper but not including bath mats or the manufacture by hand of rugs or carpets.

(b) The term "Wool Division" as used in this order means:

(1) The spinning, dyeing, finishing or processing of carpet yarns which contain any carpet wool; or,

(2) The manufacturing, dyeing, finishing or processing of rugs or carpets under the definition of the Carpet and Rug Industry containing any wool of any kind.

(c) The term "Other than Wool division" as used in this order means:

The manufacturing, dyeing, finishing or processing of all rugs or carpets under the definition of the Carpet and Rug Industry other than those included within the Wool Division of the Industry.*

§ 592.5 *Scope of the Definition.* The definition of the Carpet and Rug Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping and selling occupations.*

§ 592.6 *Effective date.* This Wage Order shall become effective March 17, 1941.*

Signed at Washington, D. C., this 28th day of February, 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-1520; Filed, February 28, 1941; 11:38 a. m.]

TITLE 30—MINERAL RESOURCES

CHAPTER III—BITUMINOUS COAL DIVISION

[Docket No. A-71]

PART 321—MINIMUM PRICE SCHEDULE DISTRICT NO. 1

ORDER OF THE DIRECTOR APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE EXAMINER; AND GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 1 FOR THE ESTABLISHMENT AND REVISION OF PRICE CLASSIFICATIONS AND EFFECTIVE MINIMUM PRICES FOR MINES OF THE COOK HOUSE COAL MINING COMPANY, GOTTLIEB KOLLAK, LOW ASH COAL COMPANY (FOSTER SHAFFER), AND RAY WETZEL

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Bituminous Coal Division on October 2, 1940, by District Board 1, seeking revision of the effective minimum prices for certain sizes of coal produced at the mines of Cook House Coal Mining Company, Gottlieb Kollak, Low Ash Coal Company (Foster Shaffer), and Ray Wetzel, code members in District 1; and

Temporary relief pending final disposition of this proceeding having been granted by an Order of the Director, dated October 16, 1940, revising the prices for the coals produced at the aforesaid mines in Size Group 3 (run of mine and modified run of mine) and classifying the Cook House Coal Mining Company coals for rail shipment; and

A hearing having been held before a duly designated Examiner of the Division, at a Hearing Room of the Division, Hotel Roger Smith, Washington, D. C., from November 13 to 18, 1940; and

The Examiner having made Proposed Findings of Fact and Conclusions of Law in this matter, dated January 11, 1941; and

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs, and no such exceptions or supporting briefs having been filed; and

The Director having determined that the Proposed Findings of Fact and Conclusions of Law of the Examiner in this matter should be approved and adopted as the Findings of Fact and Conclusions of Law of the Director:

It is ordered, That the said Proposed Findings of Fact and Conclusions of Law of the Examiner be and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the Director; and

It is further ordered, That the typographical error occurring in the temporary minimum prices listed in the Order of October 16, 1940 be corrected by changing "page 237" appearing above "Wetzel, Ray" on page 3 of said Order to "page 37"; and

It is further ordered, That, § 321.24 (*General prices*) be amended by adding thereto "Schedule A" and § 321.7 (*Alphabetical list of code members*) be amended by adding thereto "Schedule B" which schedules dated February 26, 1941, are hereinafter set forth.

Dated: February 26, 1941.

[SEAL] H. A. GRAY,
Director.